

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JOEL HAYWARD PEAVY, JR.,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

CRIMINAL ACTION

1:11-CR-343-CAP-RGV

CIVIL ACTION

NO. 1:12-CV-0178-CAP-GGB

O R D E R

This action is before the court on the Report and Recommendation ("R&R") of the magistrate judge [Doc. No. 22] and the Movant's objections thereto [Doc. No. 24]. The objections are overruled. Therefore, the court receives the R&R with approval, and it is ADOPTED as the opinion and order of this court. The November 16, 2011, Judgment and Commitment is VACATED. Contemporaneously with this order, the court will enter a new sentencing order. Movant will have 30 days from the date the new Judgement and Commitment is entered to file his direct appeal.

SO ORDERED, this 22nd day of May, 2012.

/s/ Charles A. Pannell, Jr.
CHARLES A. PANNELL, JR.
United States District Judge